

1 **R277. Education, Administration.**

2 **R277-606. Education Vouchers - Funding and Procedures.**

3 **R277-606-1. Definitions.**

4 A. "Affidavit" means a written or printed declaration or
5 statement of facts, made voluntarily, and confirmed by the
6 oath of affirmation of the party making it, taken before a
7 person having authority to administer an oath or affirmation,
8 such as a notary public.

9 A. "Agreed upon procedure" for purposes of this rule
10 means the agreed upon procedure as provided for under Section
11 53A-1a-805(2)(a).

12 B. "Annual assessment" for purposes of this rule means a
13 formal testing procedure carried out under prescribed, secure
14 and uniform conditions that measures students' academic
15 progress, consistent with Section 53A-1a-805(1)(f).

16 C. "Appeal" for purposes of the rule means an opportunity
17 to discuss/contest a final administrative decision consistent
18 with and expressly limited to the procedures of this rule.

19 D. "Attend Classes" for the purposes of this rule means
20 that the student attends classes during a school year and
21 school day that is generally consistent with R277-419-3A(1).

22 E. "Audit" for purposes of this rule means the procedures
23 described in R277-606-5I.

24 F. "Board" means the Utah State Board of Education.

25 G. "Custodial parent or legal guardian (parent)" for
26 purposes of this rule means a parent or person who has the
27 legal right to the physical custody of the child, either under
28 the provisions of a state law granting custody, or under the
29 provisions of a court order granting custody of the child to
30 one of the child's parents or another individual, and with
31 whom the child lives with the majority of the year.

32 H. "Days" means calender days unless specifically
33 designated otherwise in this rule.

34 I. "Education Voucher Appeals Committee (Appeals

Committee)" means a committee comprised of:

(1) the USOE Education Voucher coordinator or designee. The coordinator will serve as the non-voting chair of the committee;

(2) two individuals designated by the State Superintendent of Public Instruction; and

(3) a parent or private school advocate designated by the State Superintendent of Public Instruction, as appropriate.

J. "Eligible private school" means a school that meets the requirements of 53A-1a-805(1), that is not excluded by the provisions of 53A-805(3), and that meets the requirements of this rule relative to application procedures, program procedures, and time lines.

K. "Eligible student" for purposes of this rule means:

(1) the student's parent resides in Utah; and

(2) the student is school age consistent with 53a-1a-804(2)(b); and

(3) the student meets one or more of the following criteria:

(a) the student was born after September 1, 2001; or

(b) the student was enrolled as a full-time student in a Utah public school on January 1, 2007; or

(c) the student was not a Utah resident on January 1, 2007; or

(d) the student's parents had an annual income less than or equal to 100 percent of the income eligibility guidelines in the calendar year immediately preceding the school year for which the Education Voucher is sought; and

(4) The student has enrolled in or has obtained admission to an eligible private school; and

(5) Consistent with the parents' assumption of full responsibility for students' services under Section 53A-1a-804(5)(b), the student shall not be enrolled in public or charter schools for dual enrollment or extracurricular

69 activities; and

70 (6) The student is not a current recipient of a Special
71 Needs Scholarship awarded under Section 53A-1a-701 through 710
72 or R277-602.

73 L. "Enrollment" for purposes of this rule means that the
74 student has completed the school enrollment process, the
75 school maintains required student enrollment information and
76 documentation of age eligibility, the student is scheduled to
77 receive services at the school, the student attends regularly,
78 and has been accepted consistent with R277-419.

79 M. "Final administrative action" for purposes of this
80 rule means the concluding action under Section 53A-1a-801
81 through 53A-1a-811 and this rule.

82 N. "Household size" means the family size as described in
83 the USDA Child Nutrition Free and Reduced Lunch Guidelines, 7
84 CFR Part 245, hereby incorporated by reference.

85 O. "Income" means the adjusted gross income of the
86 student's parent, as defined in 53a-1a-806(2), as listed on
87 the state or federal income tax form for the filing year
88 immediately preceding the year for which the Education Voucher
89 is sought. If the parent was exempt from filing federal and
90 state income tax forms, income shall be based on income earned
91 from work and the parent shall submit documentation verifying
92 income.

93 P. "Parent Acknowledgments" for purposes of this rule
94 means the express acknowledgments and acceptance required
95 under Section 53A-1a-803(5) as part of parent application
96 available through USOE.

97 Q. "USOE" means the Utah State Office of Education.

98 R. "Warrant" means payment by check to a parent of an
99 eligible student delivered to a private school.

100 **R277-606-2. Authority and Purpose.**

101 A. This rule is authorized by Utah Constitution Article

X. Section 3 which vests general control and supervision of public education in the Board, Section 53A-1a-808 which provides for Board rules to establish the application process for private schools and Education Voucher students, how the income of a Education Voucher student's parents shall be determined, and implementing section 53a-1a-807, and by Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to outline responsibilities for:

(1) parents/students;

(2) public schools;

(3) school districts or charter schools;

(4) eligible private schools that accept Education Vouchers from eligible students; and

(5) the Board.

C. The provisions of this rule are consistent with Legislative intent to fund ~~additional schools~~ an additional program within the public education system and provide accountability for the citizenry in the administration and distribution of the Education Voucher funds.

R277-606-3. Parent/Guardian Responsibilities.

A. The parent of an eligible student seeking an Education Voucher shall submit an application, available from the USOE or online at www.schools.utah.gov, to the USOE.

(1) The parent shall complete all required information on the application and submit by hand delivery or mail the following documentation with the application form:

(a) documentation that the parent is a resident of the state of Utah;

(b) documentation that the student is school age consistent with 53A-3-402(6);

(c) documentation that the student has ~~official~~

135 acceptance at enrolled in or obtained admission to an eligible
136 private school, as defined under Section 53A-1a-805;

137 (2) The custodial parent shall sign the acknowledgments
138 and refusal to consent to services on the application form
139 consistent with Section 53A-1a-804(5).

140 (3) The parent shall provide a statement of the following
141 information required to determine Education Voucher
142 eligibility and Education Voucher amount, accompanied by an
143 affidavit attesting to the truthfulness and accuracy of the
144 submission:

145 (a) income;

146 (b) household size;

147 (c) if the stated income is more than 100 percent of the
148 income eligibility guideline, and the student was not born
149 after September 1, 2001, then one of the following:

150 (i) that the student was either enrolled as a full-time
151 student in a Utah public school on January 1, 2007; or

152 (ii) that the student was not a Utah resident on January
153 1, 2007;

154 (d) that the student is not a recipient of a Special
155 Needs Scholarship awarded under Section 53A-1a-701 through 710
156 or R277-602; and

157 (e) that the student shall not be enrolled in a public or
158 charter school for dual enrollment or extracurricular
159 activities during the Education Voucher period consistent with
160 the parents' assumption of full financial responsibility for
161 Education Voucher students under Section 53a-1a-804(5)(b).

162 (4) Parents of applicant students must agree, as a
163 condition of application for and award of an Education
164 Voucher, to cooperate and participate fully in the audit
165 procedures described in this rule. A parent must also
166 acknowledge that failure to fulfill this condition of
167 application shall result in suspension of the Education
168 Voucher until such time as the parent complies.

169 (5) As part of the application, parents shall agree to
170 maintain a file, in their possession throughout ~~the term~~ each
171 school year of Education Voucher program participation and for
172 three years thereafter, of all the supporting documents
173 required by this rule and in the Education Voucher application
174 instructions.

175 (6) Any intentional falsification, misinformation, or
176 incomplete information provided on the application, or failure
177 to maintain verifying documentation may result in the
178 cancellation of the Education Voucher to the student,
179 nonpayment to the private school, and demand for repayment of
180 any Education Voucher funds received by the parent.

181 B. Payment provisions

182 (1) The parent of an Education Voucher student whose
183 application is received by the USOE on or before July 15, 2007
184 or June 1 in all years thereafter shall be eligible for
185 quarterly Education Voucher payments equal to no more than the
186 amount established in Section 53A-1a- 806(4), with payments to
187 the private school beginning on September 1.

188 (2) The parent of an Education Voucher student whose
189 application is received after July 15, 2007 or June 1 in all
190 years thereafter, but on or before September 1 shall be
191 eligible for quarterly Education Voucher payments equal to no
192 more than three-fourths of the amount established in Section
193 53A-1a-806(4), with payments beginning on November 1.

194 (3) The parent of an Education Voucher student whose
195 application is received after September 1, but on or before
196 December 1 shall be eligible for ~~only one~~ quarterly Education
197 Voucher payments equal to no more than one-half of the amount
198 established in Section 53A-1a-806(4), with payment beginning
199 on February 1.

200 (4) The parent of an Education Voucher student whose
201 application is received after December 1 but on or before
202 February 15 shall be eligible for only one quarterly Education

203 Voucher payment equal to no more than one-fourth of the amount
204 established in Section 53A-1a-806(4), with payment beginning
205 on April 15.

206 C. The parent of a Education Voucher student wishing to
207 continue participation in the Education Voucher program shall
208 submit documentation of income, household size, Utah
209 residency, and continuing enrollment in an eligible private
210 school each year to the USOE, prior to June 1, to determine
211 eligibility for each school year following the initial school
212 year in which the Education Voucher was awarded.

213 D. The parent shall, consistent with Section 53A-1a-
214 806(10), endorse the warrant received by the private school
215 from the USOE no more than 15 school days after the private
216 school's receipt of the warrant.

217 E. The parent shall notify the USOE in writing within
218 five business days if:

219 (1) the student does not continue in enrollment in an
220 eligible private school for any reason including
221 parent/student choice, suspension or expulsion of the student;
222 or

223 (2) the student misses more than 10 consecutive school
224 days at which point the Board may modify the payment to the
225 private school consistent with R277-419-1J.

226 F. A parent's failure to comply with the notification
227 process consistent with R277-606-3E, may result in reduction
228 or revocation of the Education Voucher or other reasonable
229 actions as determined by the Board.

230 G. A parent who receives or accepts a Voucher warrant in
231 any way inconsistent with this rule or with Section 53A-1a-806
232 shall be required to repay the amount of the Voucher warrant
233 and the Education Voucher shall be canceled.

234 H. The parent shall cooperate and respond within 10
235 business days to an enrollment cross-checking request from the
236 Board/USOE.

R277-606-4. School District or Charter School Responsibilities.

A. Consistent with the parents'/guardians' assumption of full responsibility for students' services under section 53a-1a-804(5)(b), Education Voucher students shall not be enrolled in public or charter schools for dual enrollment or extracurricular activities.

B. School districts and charter schools shall cooperate with the Board/USOE in cross-checking Education Voucher student enrollment information, as requested by the Board.

C. School districts and charter schools shall cooperate with the Board in collecting information required to distribute mitigation monies as described in 53A-1a-807 and this rule.

R277-606-5. Board/USOE Responsibilities.

A. The Board/USOE shall provide student and eligible school applications, containing acknowledgments required under Section 53A-1a-804(5), for parents seeking an Education Voucher online and at the USOE, no later than March 30 prior to the school year in which admission is sought.

B. The USOE shall provide a determination that a private school meets the eligibility requirements of Section 53A-1a-805 as soon as possible but no more than 30 days after the private school submits an application and completed documentation of eligibility. The USOE may:

(1) provide reasonable time lines within the application for satisfaction of private school requirements;

(2) issue letters of warning, require the school to take corrective action within a time frame set by the Board, suspend the school from the program consistent with Section 53A-1a-808, or impose such other penalties as the Board determines appropriate under the circumstances.

(3) establish appropriate consequences or penalties for

270 private schools that:

271 (a) fail to provide affidavits under Section 53A-1a-809;

272 (b) fail to administer annual student achievement
273 assessments or fail to report assessments to parents as
274 required by Section 53a-1a-805(1)(f);

275 (c) fail to employ teachers with credentials required
276 under Section 53A-1a-805(q);

277 (d) fail to provide to parents and others who ask
278 relevant credentials of teachers under Section 53A-1a-805(h).

279 (e) fail to provide to other persons, upon request; test
280 results or accreditation status as required by Section 53A-1a-
281 805.

282 (4) initiate complaints and investigate and hold
283 administrative hearings, as appropriate, and justified under
284 the provisions of R277-606.

285 C. The Board/USOE shall make a list of eligible private
286 schools updated annually and available no later than July 1,
287 2007 and April 30 of each year thereafter.

288 D. Information about approved Education Vouchers and
289 availability and level of funding shall be provided to
290 Education Voucher applicant parents/guardians no later than
291 August 15, 2007 and July 1 of each year thereafter.

292 E. The Board/USOE shall mail Education Vouchers directly
293 to private schools as soon as reasonably possible consistent
294 with Section 53A-1a-806(7).

295 F. If an annual legislative appropriation is inadequate
296 to cover all Education Voucher applicants, the Board shall
297 establish, by rule, a lottery system for determining the
298 Education Voucher recipients, with preferences provided under
299 Section 53A-1a-806(1)(c)(i).

300 G. If monies are insufficient in a school year to pay
301 for all the continuing Education Vouchers:

302 (a) new Education Vouchers may not be awarded during that
303 school year;

304 (b) the monies available for Education Vouchers shall be
305 prorated among the eligible students who received Education
306 Vouchers in the previous year; and

307 (c)the Board shall request a supplemental appropriation
308 from the Legislature to make full Education Voucher payments
309 as provided in 53a-1a-806(4) and 53a-1a-806(5).

310 H. The Board/USOE shall verify and cross-check with
311 school districts or charter schools Education Voucher student
312 enrollment information consistent with Section 53A-1a-806(9).

313 I. The Board/USOE shall conduct audits of Education
314 Voucher student and school participants as follows:

315 (1) Audits of Education Voucher recipients.

316 (a) The USOE shall conduct audits of recipients of
317 Education Vouchers. A random and criteria-based sample of
318 application files shall be selected for auditing from among
319 applications of Education Voucher recipients. Parents of
320 Education Voucher students shall be notified of their
321 selection for file audit. The notification shall include a
322 requirement that the parents provide the USOE with supporting
323 documents as defined in this rule and the application
324 instructions. Parents shall respond within 30 days of this
325 notification. If a parent does not respond within 30 days,
326 the USOE shall send a warning letter, via registered mail,
327 with a further 15 day period for compliance. If the parent
328 does not submit documents as required to cooperate in the
329 audit process at the end of that 15 day final opportunity, the
330 parent and the private school shall be notified of suspension
331 of the Education Voucher until such time as the requirements
332 of audit participation are met and the audit is complete. The
333 USOE may request reimbursement of Education Voucher payments.

334 (b) The USOE audit may include a review of documents in
335 the following areas:

336 (i) Documentation of Utah residency;

337 (ii) Documentation of student eligible age;

338 (iii) Documentation of public school enrollment, out-of-
339 state status, or other required documentation to satisfy 53A-
340 1a-804(2)(c);

341 (iv) Documentation of income as declared in the Education
342 Voucher application;

343 (v) Documentation of household size as declared in the
344 Education Voucher application;

345 (vi) Documentation of custodial status of parent or
346 guardian of the Education Voucher student, if applicable;

347 (vii) Documentation of continuing enrollment in an
348 eligible private school.

349 (viii) Other documentation as may be required to ensure
350 that the conditions of eligibility have been or continue to be
351 satisfied.

352 (c) Within 30 days of receipt of documents in response
353 to an audit notification, the USOE shall complete the audit
354 and notify the Education Voucher applicant of the results.
355 The audit result shall be declared as follows:

356 (i) All requirements satisfied. If documentation
357 demonstrates compliance with all requirements for Education
358 Voucher eligibility, the applicant shall be notified, the
359 documents shall be returned and the audit is complete.

360 (ii) Additional information required. If the
361 documentation is insufficient to demonstrate compliance with
362 all requirements for Education Voucher eligibility, the
363 applicant shall be notified by registered mail of the area(s)
364 of deficiency. Applicants shall have 15 days to respond with
365 additional documentation.

366 (iii) Documents do not show eligibility. If the
367 documentation fails to demonstrate compliance with any
368 requirement for Education Voucher eligibility, the applicant
369 shall be notified by registered mail of the ineligibility.
370 Applicants shall have a 15 day period to respond or challenge
371 the determination or to submit additional information. After

the 15 day period, if no response is received by the USOE, or if the response is incomplete or unsatisfactory, the Education Voucher shall be canceled. The applicant shall be notified by registered mail of this action; a parent may be responsible for reimbursement of the Education Voucher. The private school where the student is enrolled shall be notified.

(d) Adverse actions resulting from an audit of an applicant may be appealed through procedures provided in R277-606-7.

(2) Audit of private school eligibility to enroll Education Voucher students.

(a) The USOE shall conduct audits of private schools enrolling Education Voucher students. The USOE shall select a random and criteria-based sample of application files from among eligible private schools. Private schools shall be notified of their selection for file audit or on-site audit or both. The notification shall include a requirement that the school provide the USOE with supporting documents as defined in the application instructions, within 30 days. If a school has not responded within the designated period, the USOE shall send a warning letter, via registered mail, with a further 30 day period for compliance. If the school does not provide documents as required to cooperate in the audit process at the end of that 30 day additional opportunity for compliance, the school shall be notified of suspension of payments of the Education Voucher to enrolled Education Voucher students until such time as the requirements of audit participation are satisfied and the audit is complete. Parents of students in a school that is in noncompliance shall receive timely notification of the pending suspension of Education Voucher payments and a description of the areas of noncompliance.

(b) The USOE audit shall include a review of documents in the following areas:

(i) documentation of a physical location in Utah where

406 the Education Voucher students attend classes and have direct
407 contact with teachers;

408 (ii) documentation of a contract with an independent
409 certified public accountant to perform the agreed upon
410 procedures specified in 53A-1a-805(2);

411 (iii) the report of the results of the agreed upon
412 procedures specified in 53A-1a-805(2);

413 (iv) an affidavit of compliance with 42 U.S.C. Sec.
414 2000d;

415 (v) an affidavit that the school does not encourage
416 illegal conduct consistent with Section 53A-6-806(3)(c);

417 (vi) evidence that the school meets state and local
418 health and safety laws and codes; including:

419 (vii) documentation of required semiannual inspections by
420 local health officials;

421 (viii) adoption of an emergency preparedness response
422 plan that includes training for school personnel and parent
423 notification for fire drills, natural disasters, and school
424 safety emergencies;

425 (ix) documentation of required inspections by the State
426 Fire Marshall;

427 (x) documentation of compliance with R392-200, Design,
428 Construction, Operation, Sanitation, and Safety of Schools;

429 (xi) documentation of attendance records as necessary to
430 meet the provisions of 53A-1a-806(8);

431 (xii) documentation of disclosures requirements under
432 Section 53A-1a-805(1)(e);

433 (xiii) disclosure of compliance with Section 53A-1a-
434 805(1)(f), including copies of approved tests, test scores,
435 and disclosure(s) to parents and others;

436 (xiv) documentation of compliance with Section 53A-1a-
437 805(1)(g), including teacher's credentials and evidence of
438 annual disclosure to parents;

439 (xv) documentation of compliance with Section 53A-1a-

805(1)(i), including a statement of accreditation, if any, and response(s) to requests;

(xvi) documentation of student assessments, tuition payments, attendance records, or other evidence of student enrollment in compliance with Section 53A-1a-805(3)(a); and

(xvii) documentation that the school employs/contracts only with teachers who have completed a criminal background check required under Sections 53A-3-410 and 53A-1a-805(1)(q).

(c) Within 30 days of receipt of documents in response to an audit notification, the USOE shall complete the audit and notify the private school of the results. The audit result shall be declared as one of the following:

(i) All requirements satisfied. If documentation demonstrates compliance with all requirements to enroll Education Voucher students, the private school shall be notified, the documents shall be returned and the audit is complete.

(ii) Additional information required. If the documentation is insufficient to demonstrate compliance with all requirements to enroll Education Voucher students, the private school shall be notified by registered mail of the areas of deficiency. The private school shall have 15 days to respond with additional documentation.

(iii) Documents do not show eligibility. If the documentation does not demonstrate compliance with any requirement to enroll Education Voucher students, the private school shall be notified by registered mail of the ineligibility. The private school shall have a 15 day period to respond to or challenge the determination of ineligibility or to submit additional information. After the 15 day period, if no response is received by the USOE, or if the response is incomplete or unsatisfactory, the eligibility of the private school to enroll Education Voucher students shall be withdrawn and parents of Education Voucher students enrolled in the

474 private school shall be notified of the withdrawal of the
475 school's eligibility.

476 (d) Adverse actions resulting from an audit of an
477 applicant may be appealed through procedures provided in R277-
478 606-7.

479 (e) The USOE shall make reasonable efforts to provide
480 adequate notice to schools of audit times and procedures.

481 (f) Final audit results shall be public information.

482 J. Education Voucher students that transferred from a
483 public school to an eligible private school shall generate
484 mitigation monies as defined in 53A-1a-807.

485 (1) For each quarterly voucher payment made to a student
486 who generates mitigation monies, the LEA shall receive 45 days
487 of membership at the grade level at which the student is
488 enrolled.

489 (2) If a student who generates mitigation monies
490 receives the September 1 payment, the student shall be
491 included in the LEA's fall enrollment count.

492 (3) Each school year, for each LEA that received
493 mitigation monies under this rule, the Board shall deduct from
494 the minimum school program funds distributed to the LEA an
495 amount equal to one-fourth times the number of quarterly
496 voucher payments received by the student times the average
497 voucher amount for Education Voucher students statewide; for
498 example: A student who attended a public school for one-half
499 year and then an eligible private school for the remainder of
500 the school year would receive two quarterly voucher payments.
501 The LEA would receive 90 days of membership as mitigation for
502 that student, and the board would subtract one-half times the
503 average voucher amount from the LEA's minimum school program
504 funds.

505 K. The Board shall direct the State Superintendent of
506 Public Instruction to request annually the results of norm-
507 referenced tests administered by eligible private schools as

required under Section 53A-1a-805(f).

L. The Board accepts no responsibility for:

(1) assistance to private schools in collection of fees/tuition; or

(2) mediating disputes between eligible private schools under this program or between eligible private schools and parents of Education Voucher students; or

(3) assistance to parents in acquiring student records from private schools; or

(4) hearing or resolving parent complaints against private schools.

M. The USOE shall report semi-annually in writing on the operation of the Education Voucher program, including the list of eligible schools, number of distribution of Education Vouchers, and other information requested by the Board.

R277-606-6. Responsibilities of Private Schools that Receive Education Vouchers.

A. A private school seeking to enroll Education Voucher students shall submit its application by June 15, 2007, or April 1 in all years thereafter, prior to the school year in which it intends to enroll Education Voucher students.

B. Applications and appropriate documentation from private schools for eligibility to receive Education Voucher students shall be provided to the USOE consistent with Section 53A-1a-805(4).

C. Private schools receiving Education Voucher payments under this rule shall provide complete student records in a timely manner to other private schools or public schools requesting student records if parents have transferred students under Section 53A-1a-804(6). Failure to provide timely records may result in review of eligible status or withholding of Education Voucher payments, or revocation of eligible status to enroll Education Voucher students.

541 D. Private schools shall notify the Board in writing
542 within five business days if:

543 (1) an Education Voucher student does not continue in
544 enrollment in an eligible private school for any reason
545 including parent/student choice, suspension or expulsion of
546 the student; or

547 (2) an Education Voucher student misses more than 10
548 consecutive days of school.

549 E. A private school's failure to comply with this
550 notification process consistent with R277-606-D, may result in
551 withholding Education Voucher or eligibility to enroll
552 Education Voucher students.

553 F. Private schools shall satisfy health and safety laws
554 and codes under Section 53A-1a-805(1)(d) including:

555 (1) the adoption of emergency preparedness response plans
556 that include training for school personnel and parent
557 notification for fire drills, natural disasters, and school
558 safety emergencies and

559 (2) compliance with R392-200, Design, Construction,
560 Operation, Sanitation, and Safety of Schools.

561 G. Eligible private schools shall agree, as a condition
562 of eligibility to enroll Education Voucher students, to
563 administer an annual assessment of student academic
564 achievement of each student enrolled in the school in
565 accordance with 53A-1a-805(1)(f), and provide assessment data
566 consistent with Section 53A-1a-805(1)(f)(iii) to any
567 individual or entity that requests the data.

568 H. Eligible private schools shall agree, as a condition
569 of eligibility to enroll Education Voucher students, to
570 cooperate and participate fully in the audit procedures
571 described in this rule.

572 I. An eligible private school shall also acknowledge
573 that failure to fulfill the condition of eligibility under of
574 R277-606-6H may result in suspension of the eligibility to

enroll Education Voucher students or suspension of quarterly Education Voucher payments, or both, until such time as the private school complies.

R277-606-7. Education Voucher Appeals.

A. A parent of an eligible student, a parent or legal guardian of a prospective eligible student, an eligible private school, or a prospective eligible private school may appeal any final administrative decision under this rule.

B. The Appeals Committee may not grant an appeal contrary to the statutory provisions of Section 53A-1a-801 through 53A-1a-811.

C. An appeal shall be submitted in writing to the USOE Education Voucher Coordinator at: Utah State Office of Education, 250 East 500 South, P.O. Box 144200, Salt Lake City, UT 84114-4200. Appeal forms shall be available online after September 1, 2007.

(1) The appeal opportunity is expressly limited to a timely written appeal.

(2) Appellants have no right to additional elements of administrative due process beyond the specific provisions of this rule.

(3) Nothing in the appeals process established under R277-606-7 shall be construed to limit, replace or adversely affect parental appeal rights available under IDEA.

D. Appeals shall be made within 30 days of written notification of the final administrative decision.

E. Appeals shall be considered by the Appeals Committee within 30 days of receipt of the written appeal.

F. The decision of the Appeals Committee shall be transmitted to parents no more than ten business days following consideration by the Appeals Committee.

G. Appeals shall be finalized as expeditiously as possible in the joint interest of schools and students

608 involved.

609 H. The Appeals Committee's decision is the final
610 administrative action.

611 KEY: education vouchers

612 Date of Enactment or Last Substantive Amendment: 2007

613 Authorizing, and Implemented or Interpreted Law: Art X Sec 3;
614 53A-1a-808; 53A-1-401(3)